(4) (7)

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH

P.R. No. 23307 Pawan Shrivastava 5/11/07

WRIT PETITION (S) NO. 319 **/2007**

U.C.L. Shrivastava,
S/o- Late Shri S.P. Shrivastava,
Aged about 55 years,
Presently working as Sub-Divisional Engineer (PRO),
Office of Telecom District Magistrate, Bastar,
Jagdalpur, Chhattisgarh. **PETITIONER**

VERSUS

Rec. (Sp Bench) 8-1-07
Clerk
THAKUR VIJAY SINGH
Asst. Solicitor General of India
CHHATTISGARH HIGH COURT
High Court Campus, Bilaspur (C.G.)

1. Union of India,
Through – Secretary,
Department of Telecommunication,
421, Sanchar Bhawan,
20- Ashoka Road,
New Delhi – 110 001.

2. Bharat Sanchar Nigam Limited (BSNL),
Through- Chairman-cum-Managing Director,
Corporate Office – Personnel-II Section,
102-b, Statesman House, 148, Barakhamba Road,
New Delhi-1.

Received by KB Learned Counsel for Applr 5/11/07

3. Chief General Manger,
Bharat Sanchar Nigam Ltd. (BSNL),
Chhattisgarh Telecom Circle,
Khamardih, Raipur,
Chhattisgarh.

OATH COMMISSIONER APARNA MALVIYA COMMR. 06/10/07 Bilaspur Chhattisgarh

4. Telecom District Manager,
Bastar, Jagdalpur,
District – Bastar,
Chhattisgarh. **RESPONDENTS**

WRIT PETITION UNDER ARTICLE 226/~~227~~ OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT IN THE NATURE OF MANDAMUS, CERTIORARI ETC.

(60)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.319 OF 2007

Petitioner : U.C.L. Shrivastava

versus

Respondents : Union of India and others

Present : Mr. Pankaj Shrivastava, counsel for the petitioner.
Mr. S.K.Beriwal, counsel for respondent No.1.
Mr. R.M.Solapurkar, counsel for respondents No.2 to 4.

ORDER

(Passed on 22nd Day of January, 2007)

The petitioner, by this petition, impugns the order dated 6-12-2006 (Annexure P-1), whereunder the petitioner, working as TES Group 'B' Officer, has been transferred from Chhattisgarh Telecom Circle to DOT (Hqs.), New Delhi. The application of the petitioner for absorption in the services of the Bharat Sanchar Nigam Limited is pending consideration.

2. In normal circumstances, this Court should not interfere with the transfer order as this is for the employer to post an employee at any place in public interest and due to administrative exigency.

3. In the facts of the present case, when the application of the petitioner is pending for consideration, it is desirable that a direction

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be issued to respondents No.1 and 2 to consider the application of the petitioner for absorption on merit in accordance with law within a period of four weeks from the receipt of a copy of this order. In the meantime, the petitioner may be permitted to continue at the present place of posting for a period of four weeks.

4. Thus, the petition stands disposed of with the aforementioned observations. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Gopal